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ORIGINAL

(17)
11-19-0
SC

In the United States District Court for the Middle District of Pennsylvania

Michael Shaffer,	}	No. 01-CV-1065
Plaintiff,	}	
	}	
v.	}	Judge Rambo
	}	
Susan Graybill, et al.,	}	
Defendants.	}	

FILED
HARRISBURG
NOV 16 2001
MARY E. DIAMOND, CLERK
U.S. DISTRICT COURT
MIDDLE DISTRICT OF PENNSYLVANIA

Plaintiff's Motion to File Supplemental Brief

In Opposition to Defendants' Motion to Dismiss

Comes now Plaintiff and files this Motion to File Supplemental Brief In Opposition to the Minuteman Defendants' Motion to Dismiss.

1. On November 15, 2001, Plaintiff filed by mail a Motion to File Second Amended Complaint, which for the first time raises a violation of the New York Franchise Law because of the fraud perpetrated on Plaintiff by the Minuteman Defendants.

2. Additional cases have come to light regarding the enforcement of the New York Franchise Law, the motion for declaratory judgment to rescind the arbitration provisions in the Franchise Agreement, and the motion for declaratory judgment to rescind the Franchise Agreement itself and place Plaintiff in the same position as if he had not entered into the Franchise Agreement.

3. This Motion is filed so that justice may be done.

Wherefore, Plaintiff prays that this Motion be granted and for such other and further relief to which he is justly entitled whether at law or in equity.

Respectfully Submitted,



Robert J. White
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York, PA 17402
(717) 699-4534

Counsel for Plaintiff

Certificate of Conference

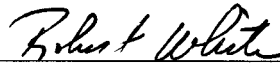
The undersigned certifies that he has conferred with Harris J. Chernow, Counsel for the Minuteman Defendants, on the merits of this Motion and that counsel is opposed to this Motion.



Robert J. White

Certificate of Service

The undersigned certifies that he has served a copy of this Motion by first class mail, postage prepaid, on this 15th day of November, 2001, addressed to Harris J. Chernow, Counsel for the Minuteman Defendants, at Buchanan Ingersoll, Eleven Penn Center, 14th Floor, 1835 Market Street, Philadelphia, PA 19103 and Charles Rees Brown, Counsel for the Graybill Defendants, at Nicholas & Foreman, 4409 N. Front Street, Harrisburg, PA 17110.



Robert J. White